

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

CITYNET, LLC, on behalf of
the United States of America,

Plaintiff/Relator,

v.

Civil Action No. 2:14-cv-15947

FRONTIER WEST VIRGINIA, INC.,
a West Virginia corporation;
KENNETH ARNDT, individually;
DANA WALDO, individually;
MARK MCKENZIE, individually;
JIMMY GIANATO, individually;
and GALE GIVEN, individually,

Defendants.

ORDER

Pending is plaintiff/relator Citynet, LLC's
("Citynet") motion, filed May 19, 2022, for leave to file under
seal. Citynet Mot. Seal, ECF No. 330.

In its motion, Citynet seeks to seal its objections to
the magistrate judge's May 5, 2022, memorandum opinion and order
(ECF No. 324), and exhibits A-N and P attached thereto. Citynet
Mem. Supp. Seal, ECF No. 331. While Citynet suggests reasons
why it believes sealing is necessary, Citynet also states that
it "does not take a position on the propriety of sealing . . .
because the Frontier Defendants bear the burden of establishing
the privileged or protected nature of the allegedly protected
information contained" within exhibits A-N and P. Id. at 2.

In the interests of justice and of advancing this matter, it is accordingly ORDERED that the documents at issue remain provisionally sealed. The court DIRECTS Frontier to file a memorandum taking a position on the propriety of sealing and of any alternatives to sealing no later than May 27, 2022.

The Clerk is requested to transmit copies of this order to all counsel of record and any unrepresented parties.

ENTER: May 20, 2022



John T. Copenhaver, Jr.
Senior United States District Judge